IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE NINTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 25686 of 1997

Between:

Shaik Moulali, S/o. Saidulu,
R/o. Anjenayapuram Village, Tiruvuru Mandal,
Krishna District.

..... PETITIONER

AND

1 The Dy. Secretary to Government, Government of India,
Freedom Fighters Division, Loknayakbhavan,
New Delhi.
2 The Secretary to Government (Revenue) FF Department,
Secretariat, Hyderabad.
3 Sri Gaddam Narayana, S/o. Kotaiah,
R/o. Anjenayapuram Village, Tiruvuru Mandal,
Krishna District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ or direction preferably one in the nature of Writ of Mandamus declaring the in-action of the Respondents 1 and 2 in not conducting enquiry with regard to grant of Freedom Fighters Pension to the third respondent who is not a Freedom Fighter as illegal, arbitrary and violates the principles of natural justice and consequently direct the Respondents 1 and 2 to conduct enquiry and take appropriate action.

Counsel for the Petitioner: MR.K.R.SRINIVAS

Counsel for the Respondents: GP FOR REVENUE

The Court made the following:

ORDER:

The present writ petition is filed questioning the action of the respondents 1 and 2 in not conducting an enquiry with regard to grant of freedom fighters pension to third respondent.

The main relief sought by the petitioner is against third respondent and against whom the writ petition was dismissed for default by order dated 22-9-2004 and petitioner has not taken any steps to restore the writ petition as against the third respondents.

In view of the dismissal of the writ petition against third respondent, nothing survives in the matter and it has become
infructuous. Accordingly, the writ petition is dismissed as
infructuous. No costs.

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N.V.RAMANA,J

9-3-2005

TVK

To

1 The Deputy Secretary to Government, Government of India,
Freedom Fighters Division, Loknayakbhavan, New Delhi.
2 The Secretary to Government (Revenue) FF Department,
Secretariat, Hyderabad.